

REMARKS

Status of the Claims

Claims 1 and 3-31 are pending, with Claims 1, 11, 18 and 25 being independent. Claims 1, 3 and 4 have been amended. Claims 11-31 have been withdrawn from consideration. Support for the claim changes can be found in the original disclosure, for example in Figure 6 and the accompanying disclosure, and therefore no new matter has been added.

Requested Action

Applicants respectfully request the Examiner to reconsider and withdraw the outstanding rejection in view of the foregoing amendments and the following remarks.

Statement of Substance of Interview

Applicants gratefully acknowledge the telephone interviews conducted on August 18, 2009 and August 27, 2009 in which the outstanding rejection was discussed with respect to the Miyamoto and Yamauchi citations. In the interviews, the Examiner indicated a willingness to withdraw the outstanding rejection if Claim 1 is amended to recite the performing of different halftone or image-density lowering processes on image information representing different-sized pixel areas in the second image formation mode. In addition, specific language for amending the penultimate paragraph of Claim 1 was discussed orally in the August 27, 2009 telephone interview and the Examiner agreed to withdraw the outstanding rejection if Claim 1 was so amended, pending his review of the written amendment to confirm that it conforms to his understanding of the telephone

discussion thereof. Accordingly, Claim 1 has been amended in this Amendment in accordance with the proposed language discussed at the interviews.

Claim Rejection

Claims 1 and 3-10 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication No. 2002/0071689 (Miyamoto) in view of U.S. Patent No. 7,274,884 (Yamauchi).

In response, while not conceding the propriety of the rejection, independent Claim 1 has been amended. Applicants submit that as amended, Claim 1 is allowable for the following reasons.

Independent Claim 1 relates to an image forming apparatus operable in a first image formation mode for forming an image on an image bearing member by using developer under a first predetermined image forming condition and a second image formation mode for forming an image on an image bearing member by using developer under a second image forming condition which is different from the first predetermined image forming condition and is set so that an amount of consumption of developer with respect to an identical image in the second image formation mode is smaller than that in the first image formation mode. Claim 1 comprises a storing device, a controller, and an image process controller. The storing device is configured to store threshold information on an amount of usage of the image bearing member. The controller is configured to set the image forming apparatus in the first image formation mode or the second image formation mode. The image processing controller is configured to discriminate a size of a

concentrated pixel area in image information when the second image formation mode is set.

Claim 1 has been amended to recite that the image processing controller is configured to perform first and second image density lowering processes on image information presenting pixel areas of different sizes, depending on the discriminated size of the pixel area.

Claim 1 has been further amended to recite that in a state in which the controller is configured to set the image forming apparatus in the second image formation mode, an image density lowering process performed on the image information by the image processing controller is changed depending on the discrimination result of the image processing controller in such a manner that the first image density lowering process is performed so that image information representing pixels in pixel areas of a first size of the image to be formed is a first image density, and the second image density lowering process is performed so that image information representing pixels in pixel areas of a second size of the image to be formed is a second image density lower than the first image density.

In addition, Claim 1 has been amended to recite that the controller sets the second image forming condition on the basis of the discrimination result of the image processing controller and the threshold information stored in the storing device when the amount of usage of the image bearing member reaches a predetermined threshold represented by the threshold information.

In contrast, the citations to Miyamoto and Yamauchi are not understood to disclose or suggest that a) in a state in which the controller is configured to set the image forming apparatus in the second image formation mode, an image density lowering process

performed on the image information by the image processing controller is changed depending on the discrimination result of the image processing controller in such a manner that a first image density lowering process is performed so that image information representing pixels in pixel areas of a first size of the image to be formed is a first image density, and a second image density lowering process is performed so that image information representing pixels in pixel areas of a second size of the image to be formed is a second image density lower than the first image density, and b) the controller sets the second image forming condition on the basis of the discrimination result of the image processing controller and the threshold information stored in the storing device when the amount of usage of the image bearing member reaches a predetermined threshold represented by the threshold information, as recited by amended Claim 1.

Since Claim 1 has been amended to recite at least one feature not understood to be disclosed or suggested by the citations to Miyamoto and Yamauchi, Applicant submits that the Office has not yet satisfied its burden of proof to establish a prima facie case of obviousness against amended Claim 1. Therefore, Applicant respectfully requests that the rejection of amended Claim 1 be withdrawn.

The dependent claims are also submitted to be patentable, due to their dependency from the independent base claims, as well as due to additional features that are recited. Individual consideration of the dependent claims is respectfully solicited.

Applicants submit that this Amendment After Final Rejection clearly places the subject application in condition for allowance. This Amendment was not presented earlier, because Applicants believed that the prior Amendment placed the subject application in condition for allowance. Accordingly, entry of the instant Amendment, as an earnest

attempt to advance prosecution and reduce the number of issues, is requested under 37 C.F.R. § 1.116.

Conclusion

In view of the above amendments and remarks, the application is now in allowable form. Therefore, early passage to issue is respectfully solicited.

Any fee required in connection with this paper should be charged to Deposit Account No. 06-1205.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

/Gary M. Jacobs/

Gary M. Jacobs
Attorney for Applicants
Registration No. 28,861

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200
GJMJ/klm